

**RECEIVED  
CENTRAL FAX CENTER****FEB 07 2006****PATENT**  
Attorney Docket No. 101.0077-00000  
Customer No. 22882**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Confirmation No.: 3776
Gary K. Michelson, M.D.	)	
Serial No.: 09/553,573	)	Group Art Unit: 3738
Filed: April 19, 2000	)	Examiner: Bruce Snow
For: ARTIFICIAL HEMI-LUMBAR NON-	)	
ARCUATE INTERBODY SPINAL	)	
IMPLANT HAVING AN	)	
ASYMMETRICAL LEADING END	)	
(as amended)	)	

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION**

In reply to the Office Action of August 10, 2005, the period for reply having been extended for three (3) months by a request for extension and fee payment filed concurrently herewith, the following remarks are submitted for the Examiner's consideration.

In the Office Action, the Examiner rejected claims 102-106, 108-135, 137-147, 149-168, and 172 under 35 U.S.C. § 102(b) as being anticipated by US. Patent No. 5,888,227 to Cottle ("Cottle"). Applicant respectfully traverses the Examiner's rejection.

Independent claim 102 recites that the width of the implant is "less than approximately one-half of the maximum width of the adjacent vertebral bodies into which said implant is adapted to be inserted." Independent claim 102 further recites that the third distance, which is measured from the junction of the leading end and the interior side wall to the plane perpendicular to and bisecting the length along the mid-longitudinal axis of the implant, is greater than the first distance, which is measured along the mid-longitudinal axis from the leading end to the perpendicular plane.

Reply to Office Action 2-7-06.doc

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